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OFFICE OF PETITIONS

In re Application of :
Magyar et al. :
Application No. 10/667,257 : ON PETITION
Filed: September 19, 2003 :
Atty Docket No. 920047-94539 :

This is in response to the "PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR §1.137(B)" filed May 12, 2009.

The above-identified application became abandoned effective July 4, 2008 for failure to pay the Issue Fee and Publication Fee within three months of the mailing date, April 3, 2008, of the Notice of Allowance and Fee(s) Due. The issue fee and publication fee were received but determined to not be sufficient. By decision mailed March 16, 2009, a prior "PETITION TO WITHDRAW THE HOLDING OF AN ABANDONMENT" filed August 26, 2008 (and resubmitted September 10, 2008) was dismissed.

The petition under § 1.137(b) is **GRANTED**.

The petition includes the required reply¹ in the form of payment of the deficiency in payment of the Issue Fee (\$113); payment of the petition fee set forth in 37 CFR § 1.17(m); and the required statement of unintentional delay. No terminal disclaimer is required.

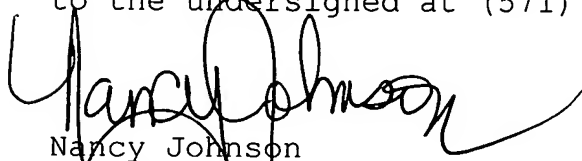
¹ The publication fee was previously paid. There was no distinct but concurrent requirement for new drawings.

It is noted that the petition includes a general authorization to charge any required fees to a Credit Card. Such is improper. See 37 CFR 1.23(b). Fortunately, reliance on this authorization was not necessary to a favorable decision.

It is concluded that all requirements of 37 CFR 1.137(b) have been met.

The Office of Data Management (formerly known as the Office of Patent Publication) has been advised of this decision. The application is, thereby, forwarded for processing into a patent.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3219.



Nancy Johnson
Senior Petitions Attorney
Office of Petitions